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11 United States of America

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14 IN THE UNITED STATES DISTRICT COURT
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16 EASTERN DISTRICT OF CALIFORNIA

17
18 UNITED STATES OF AMERICA,

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20 Plaintiff,

21 v.

22
23 CASE NO. 1:24-CR-000143-KES-BAM

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25 STIPULATION REGARDING EXCLUDABLE
26 TIME PERIODS UNDER SPEEDY TRIAL ACT;
27 AND ORDER

28 NATHAN BAPTISTA,

30
31 Defendants.

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34 STIPULATION

35 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
36 through her counsel of record, hereby stipulate as follows:

37 1. By previous order, this matter was set for a status conference on March 12, 2025.

38 2. By this stipulation, defendant now moves to continue the status conference and to

39 exclude time between March 12, 2025, and June 11, 2025, pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

40 3. The parties agree and stipulate, and request that the Court find the following:

41 a) The government provided discovery to the defense on June 17, 2024. The
42 discovery consisted of law enforcement reports, bodycam footage, photographs and video
43 recordings. As investigation was ongoing, the Government provided additional discovery on July
44 3, 2024, July 15, 2024, July 29, 2024, September 4, 2024, and October 23, 2024. The most recent

1 discovery consisted of raw data and technical notes from the DNA testing performed in this case.
2 Defense counsel is reviewing the raw data and technical notes and requires additional time to
3 assess how the DNA results impact the case.

4 b) The parties are continuing to discuss potential resolution of this case via a plea
5 agreement. The parties believe they may be able to reach a plea agreement. The Government
6 made a formal plea offer to the defense on September 23, 2024. Defense counsel is discussing
7 the plea offer with his client.

8 c) Defense counsel is continuing to investigate the case, including mitigation
9 evidence that may exist for sentencing purposes. Defense counsel requests additional time to
10 conduct his own independent investigation.

11 d) The defendant asks the Court to exclude time between March 12, 2025, and June
12 11, 2025, to account for time to discuss the plea with the Government and defendant, to conduct
13 his own investigation, and determine if this case needs to be set for trial, taking into account the
14 exercise of due diligence.

15 e) The government does not object to the continuance.

16 f) Based on the above-stated findings, the ends of justice served by continuing the
17 case as requested outweigh the interest of the public and the defendants in a trial within the
18 original date prescribed by the Speedy Trial Act.

19 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
20 et seq., within which trial must commence, the time period of March 12, 2025 to June 11, 2025,
21 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it results
22 from a continuance granted by the Court at defendants' request on the basis of the Court's
23 finding that the ends of justice served by taking such action outweigh the best interest of the
24 public and the defendant in a speedy trial.

25 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
26 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
27 must commence.

28 IT IS SO STIPULATED.

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2 Dated: March 4, 2025

MICHELE BECKWITH
Acting United States Attorney

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4 /s/ ARIN C. HEINZ
5 ARIN C. HEINZ
6 Assistant United States Attorney

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8 Dated: March 4, 2025

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10 /s/ GRIFFIN ESTES
11 GRIFFIN ESTES
12 Counsel for Defendant
13 NATHAN BAPTISTA

ORDER

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15 IT IS SO ORDERED that the status conference is continued from March 12, 2025, to **June 11, 2025, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe.** Time is
16 excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

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18 IT IS SO ORDERED.

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20 Dated: March 5, 2025

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22 /s/ Barbara A. McAuliffe
23 UNITED STATES MAGISTRATE JUDGE